

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

219

CRM-M-4261 of 2021 (O&M)
Date of Decision : 12.10.2021

Sandeep alias Jhabal

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. V.B. Godara, Advocate for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

HARINDER SINGH SIDHU, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail, in case FIR No.173 dated 29.05.2020 under Sections 397, 201, 120-B IPC and Section 25-54-59 of Arms Act at Police Station Bhuna, District Fatehabad.

The FIR was lodged on the complaint of one Mr. Mayank Grover who stated that on 29.05.2020, at about 03.45 P.M, he has gone to meet his sister in his car Alto. When he reached near Gorakhpur canal, he parked his car on the roadside to answer the call of nature. Then, four boys came on a motorcycle and two boys alighted from the motor-cycle and asked him to hand over the key of the car. One of the boys fired a shot from the pistol and then he snatched key from the complainant. The other boy snatched his mobile phone. Then the boys fled away in the car. It is case of the prosecution that the co-accused Satish alias Bullet was arrested in case FIR No.134 dated 29.05.2020 under Sections 307, 452, 393, 397, 34 IPC and Section 25/54/59 of Arms Act registered at Police Station Agroha. He suffered a disclosure statement regarding his involvement and that of the petitioner and the other co-accused in the present case.

Learned counsel for the petitioner had argued that no recovery

has been effected from the petitioner. The recovery of pistol allegedly used in the incident and the vehicle allegedly snatched from the complainant has been made from co-accused Satish @ Bullet and Kamal Rana in FIR No.134 dated 29.05.2020 under Sections 307, 452, 393, 397, 34 IPC and Section 25/54/59 of Arms Act registered at Police Station Agroha.

The petitioner is in custody since 29.08.2020. Though petitioner is involved in three other cases, however, he has been acquitted in one FIR No.233 dated 02.10.2003 registered under Section 379 IPC. The petitioner is on bail in two other cases.

Learned State counsel, on the other hand, states that the petitioner is part of the gang of snatchers. He is involved in three other cases. The petitioner has been identified by the complainant.

In view of the above and keeping in mind the fact that the petitioner is in custody since 29.08.2020 and due to the outbreak of the pandemic Covid19, the trial is not likely to conclude in the near future and without expressing anything on the merits of the case, the instant petition is allowed and the petitioner Sandeep @ Jhabal is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(HARINDER SINGH SIDHU)
JUDGE

12.10.2021
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No